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DATE 11.13.06

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

James Richard Bollino, et al.

Civil Action 05-1260

versus

Judge Tucker L. Melançon

Kia Motors Corp., et al

Magistrate Judge C. Michael Hill

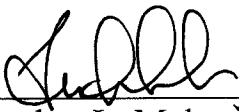
JUDGMENT OF DISMISSAL

The Court having been advised that the above action has been settled,

IT IS ORDERED that this action is hereby DISMISSED without costs and without prejudice to the right, upon good cause shown within thirty (30) days, to reopen the action if settlement is not consummated. Defendant's Motion in Limine to Preclude Testimony of James Miller [Rec. Doc. 42] and Motion for Summary Judgment [Rec. Doc. 43] are denied as moot.

IT IS FURTHER ORDERED that the parties are to submit to the Court a Joint Stipulation of Dismissal pursuant to Fed. R. Civ. P. 41 within thirty (30) days of entry of this judgment.

Thus done and signed this 13th day of November, 2006 at Lafayette, Louisiana.



Tucker L. Melançon
United States District Judge

McKERNAN LAW FIRM

A Professional Limited Liability Company

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OF COUNSEL
SCOTT E. BRADY

November 13, 2006

Via Fax (337) 593-5076

Honorable Tucker L. Melancon
4700 John M. Shaw U. S. Courthouse
800 Lafayette Street
Lafayette, LA 70501

RE: James Bollino, et al. vs. Kia Motors Corporation, et al.
Suit Number: 05-1263; Western District of Louisiana
Our File: 05136

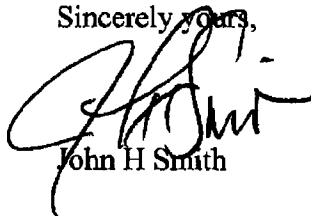
05-1260

Dear Judge Melancon:

The referenced matter was resolved at mediation. As a result, we will not be filing an opposition to the Motion in Limine and Motion for Summary Judgment filed by Defendant. In addition, we anticipate filing a motion to dismiss the case in the near future.

With kind regards, I remain

Sincerely yours,



John H. Smith

JHS\ecs

copy: Mr. Mark N. Bodin (via fax 504-596-2861)

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*Above Licensed in Louisiana and Texas
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